

8 October 1976

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cc Covert Action y

SSCI Guidelines

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77-01476

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM : George L. Cary, Legislative Counsel

SUBJECT : Recommended Procedures for Reporting
Covert Action Programs to the Senate
Select Committee on Intelligence

25X1
25X1
1. I have looked over Bill Wells' memo to you on this subject as well as [] and share in the concern expressed in the first paragraph of [] memorandum.

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2. I think Wells was trying to follow the spirit of cooperation with the SSCI but I believe recent developments in such matters as the [] inquiries cause me to be a little more cautious than I might have been otherwise. In sum, I don't believe we should establish a practice in which Wells or anyone else is subject to reports and interrogation by the Committee staff in the field of covert action. As [] says this gets too close to the question of Presidential prerogatives to wind up in any kind of day to day accountability to the Committee staff.

3. I think reports to the SSCI as well as our other oversight committees should continue to be made as they have in the past, e.g., by the Director (or you acting in his absence), with Wells as your expert back-up in direct testimony to the Committee. These reports would be made immediately following each Presidential finding on a program and would include semi-annual "wrap up" reports. Some minor developments [] could be handled at the staff level with the SSCI--as they were with our other oversight committees but I think this should be the exception rather than the rule.

4. If the subject of covert action is as important to the Committee as I have been led to believe that it is, I think it is one which merits the attention of the Committee members in direct contact with the Director or with you and I think it should be retained at that level.

George L. Cary
Legislative Counsel

Distribution:

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1 - OLC/Chrono

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77-0147/5

TO : Mr. Cary

DATE OF REQUEST: 4 Oct 1976

FROM : THW

SUSPENSE DATE:

SUBJECT: Recommended Procedures for Reporting Covert Action Programs to the SSCI

NOTES

I have been asked to give you my comments on the attached memo from Wells to the Director with respect to briefings on covert action activity following the initial briefing on any particular Presidential finding.

According to [] the initial meeting between Miller and Wells on this subject was not brought to our attention until after the fact. However, [] did sit in subsequent meetings. It would have been nice had we been invited, but I don't believe it merits any major comments to Wells or []

I believe you should read the entire package so that you are well acquainted with the procedures proposed by Wells. As you will note, [] made some suggestions Knoche, one of which was that he ask for your opinion since you were not listed as coordinating on Wells' memo.

With respect to paragraph 3 b of Wells' memo, I share [] concern. Why we make semiannual written reports on covert action to the SSCI when we have not done it in the past and do not do so with any other committee.

More importantly, I do not think we should get into the business of running up to the Hill to report on covert action projects each time one is terminated or each time we might have additional facts which were not included in the original Presidential finding briefing. It seems to me that all of the matters discussed in Wells' memo could be handled on a semiannual basis particularly since covert action projects are not numerous enough to merit immediate report on termination, etc. *

COORDINATED WITH (list names as well as offices)

NAME	OFFICE	DATE
NAME	OFFICE	DATE
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ACTION REQUIRED BY GLC

* The thrust of [] first paragraph is that if we do what Wells suggests, as a starter then the requirements will become more constant and they will be breathing down our necks every other week asking questions like: "How is the project going?"